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GLM:dsq 3/12/02 6424-61326 3001.2

PATENT  
Attorney Reference Number 6424-61326

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Randal Scott

Art Unit: 2166

Application No. 10/035,814

Filed: October 18, 2001

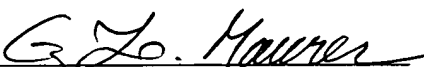
For: GENOMIC PROFILE INFORMATION  
SYSTEMS AND METHODS

Examiner: Not yet assigned

Date: March 12, 2002

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on March 12, 2002, as First Class Mail in an envelope addressed to:  
BOX MISSING PARTS, COMMISSIONER FOR PATENTS,  
WASHINGTON D.C. 20231.

  
Attorney for Applicant

MISSING PARTS TRANSMITTAL LETTER

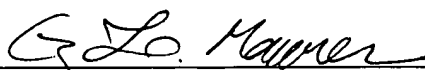
BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
Washington, DC 20231

Enclosed for filing in the application referenced above are the following:

- ☒ Copy of Notice to File Missing Parts of Application--Filing Date Granted
- ☒ Basic Filing Fee of \$370.00
- ☒ Additional claim fee of \$1,884.00
- ☒ Declaration
- ☒ Surcharge for Late Filing of Fee or Oath or Declaration ☒ \$65.00 - Small Entity
- ☒ Power of Attorney by Assignee Under 37 C.F.R. § 3.71(b) and attached Assignment
- ☒ A check in the amount of \$2,319.00 to cover the above-listed fees
- ☒ Small entity status is claimed for this application.
- ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit over-payment, to Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By   
Gregory L. Maurer  
Registration No. 43,781

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391 Facsimile: (503) 228-9446  
cc: Docketing



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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/035,814	10/18/2001	Randal Scott	6424-61326

CONFIRMATION NO. 1777

FORMALITIES LETTER



\*OC00000000733222\*

KLARQUIST SPARKMAN, LLP  
One World Trade Center  
Suite 1600  
121 S.W. Salmon Street  
Portland, OR 97204

Date Mailed: 01/30/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 370 to complete the basic filing fee for a small entity.*
- Total additional claim fee(s) for this application is \$1884.
  - \$666 for 74 total claims over 20.
  - \$1218 for 29 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2319.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/26/2002 HH0061  
01 FC:201  
02 FC:205  
03 FC:202  
04 FC:203

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370.00 DP  
65.00 DP  
1218.00 DP  
666.00 DP

## A S S I G N M E N T

WHEREAS, I, Randal W. Scott, of Los Altos Hills, County of Santa Clara, State of California, have invented certain inventions, for which the following patent applications have been filed:

U.S. Provisional Application Number 60/241,495 filed on October 18, 2000, entitled "GENOMIC PROFILE INFORMATION CENTER";

U.S. Patent Application Number 10/035,814 filed on October 18, 2001, entitled "GENOMIC PROFILE INFORMATION SYSTEMS AND METHODS"; and

PCT Application Number PCT/US01/49677 filed on October 18, 2001, entitled "GENOMIC PROFILE INFORMATION SYSTEMS AND METHODS";

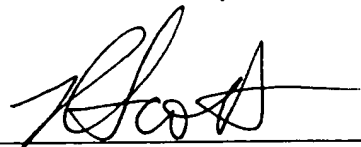
WHEREAS, Genomic Health, Inc., a corporation organized under the laws of the State of California, having a place of business at 301 Penobscot Drive, Redwood City, CA 94063, desires to acquire an interest therein:

NOW, THEREFORE, in consideration of good and valuable consideration, the receipt of which is hereby acknowledged, I, Randal W. Scott, hereby sell, assign and transfer to Genomic Health, Inc., the full and exclusive right, title and interest in and to said inventions, patent applications and patent rights throughout the world, including foreign patent priority rights, the right to file and prosecute International Applications under the Patent Cooperation Treaty, and the right to file and prosecute applications under the European Patent Convention; said inventions, applications and letters patent in this or any foreign country, and all divisions, continuations, reissues and extensions thereof, to be held and enjoyed by Genomic Health, Inc., for its own use and benefit, and for its successors and assigns to the full end of the term for which letters patent may be granted in this or any foreign country, as fully and entirely as the

same would have been held by me had this assignment and sale not been made, and covenant that I have full right so to do, and agree that I will communicate to Genomic Health, Inc., or its successors and assigns, any facts known to me respecting said inventions, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths, and do everything possible to aid Genomic Health, Inc., its successors and assigns to obtain and enforce proper patent protection for said inventions in this or any foreign country.

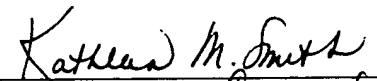
I hereby grant the law firm of Klarquist Sparkman Campbell Leigh & Winston, LLP, the power to insert on this Assignment any further information which may be necessary or desirable in order to comply with all applicable legal requirements, including the rules of the United States Patent and Trademark Office, for submitting and recording this document.

Executed at Palo Alto, State of California, this 5<sup>th</sup> day of March, 2002.

  
\_\_\_\_\_  
Randal W. Scott

STATE OF CALIFORNIA                     )  
COUNTY OF Santa Clara            )     ss.

This 5<sup>th</sup> day of March, 2002, before me personally came the above-named Randal W. Scott, who executed the foregoing instrument in my presence, and who acknowledged to me that he executed the same of his own free will for the purposes set forth therein.

  
\_\_\_\_\_  
Notary Public For County of Santa Clara  
My commission expires: 9-18-02

[SEAL]

